

PUBLISHED

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UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 02-7338

YASER ESAM HAMDI; ESAM FOUAD HAMDI, as next
friend of Yaser Esam Hamdi,

Petitioners - Appellees,

versus

DONALD RUMSFELD; W. R. PAULETTE, Commander,

Respondents - Appellants.

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University Law School, and Edward B. Burling,
Professor of International Law and Diplomacy,
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Mason University School of Law; DOUGLAS W.
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JR.; LEE A. CASEY; DARIN R. BARTRAM;

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AMERICAN CIVIL LIBERTIES UNION FOUNDATION;
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VIRGINIA;

Amici Curiae in support
of Appellees.

ORDER

The United States Supreme Court has vacated the judgment and remanded this case. In obedience to the mandate of the Supreme Court we hereby remand the case to the Eastern District of Virginia for further proceedings consistent with the Supreme Court's decision. In light of the Court's holding in Rumsfeld v. Padilla, 124 S. Ct. 2711 (2004), we note that any motion with respect to the issue of venue may be addressed to the district court.

Entered at the direction of Chief Judge Wilkins, with the concurrence of Judge Wilkinson and Judge Traxler.

For the Court

/s/ Patricia S. Connor

CLERK